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December 1, 2008

Hon. Charles J. Siragusa
United States District
Court Judge
100 State Street
Rochester, New York 14614

Re: U.S. v. Gail Eldridge et al.
#05-CR-6116

Dear Judge Siragusa:

I have received the court's scheduling order and argument date of December 10th at 3:45 p.m. Unfortunately, I have a date certain trial order with Justice Daniel Doyle for that afternoon which conflicts with the court date. I also request that Ms. Eldridge be returned to Rochester not only to appear for the argument of motions but to also participate in a pre-sentence interview which has yet to be scheduled. It is unclear how long it will take to get Ms. Eldridge back to Rochester for these proceedings.

I desire to file a further reply to the Government's answering papers on the issue of the Crawford objection raised by the defendant prior to and at the time of trial however the transcript of the trial proceedings related to that issue have not been received from Ms. Bush. The trial transcript was ordered and expected to be received by November 20th. That transcript would establish that the Crawford objection was expressly reserved and noted by the Court to be preserved on the record during the trial. I would like that transcript to be a part of the Court's record prior to the determination of the motions and request leave to allow me to submit a Reply to that issue.

Thank you for your consideration.

Very truly yours,

/s/ Maurice Verrillo

Maurice J. Verrillo
pc: All Counsel